IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,
v.
Donald Day, Jr.,
Defendant.

No. CR-23-08132-PCT-JJT

ORDER GRANTING MOTION TO CONTINUE TRIAL AND PRETRIAL MOTIONS

On the Court's own Motion,

IT IS ORDERED continuing the Jury Trial, Pretrial Motions Deadline and Status Conference.

This Court specifically finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. This finding is based upon the Court's conclusion that the failure to grant such a continuance would deny Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS FURTHER ORDERED continuing the trial from April 2, 2024 to <u>June 4</u>, <u>2024 at 9:00 a.m.</u>

IT IS FURTHER ORDERED continuing the pretrial motions deadline until <u>May</u> <u>6, 2024</u>.

IT IS FURTHER ORDERED continuing the Status Conference from March 18, 2024 to May 20, 2024 at 11:30 a.m.

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IT IS FURTHER ORDERED that if any subpoenas were previously issued and served in this matter, that they remain in effect and are answerable at the new trial date and the party who served the subpoena should advise the witnesses of the trial date.

IT IS FURTHER ORDERED that excludable delay under Title 18 U.S.C. §3161(h)(7)(A) and (B) will commence from <u>April 3, 2024</u> to <u>June 4, 2024</u>.

IT IS FURTHER ORDERED that the parties shall keep the Court apprised of the possibility of settlement and should settlement be reached, the parties shall notify the Court.

Dated this 5th day of March, 2024.

Honorable John J. Tuchi United States District Judge